

IN THE DISTRICT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

ATTORNEY DOE	)	
Petitioner,	)	
v.	)	
	)	
OFFICE OF DISCIPLINARY COUNSEL	)	
OF THE SUPREME COURT OF THE	)	CIVIL NO. 1:24-cv-00020
VIRGIN ISLANDS and KATHRYN DONNELLY,	)	
in her capacity as Special Designated	)	
Disciplinary Counsel,	)	
	)	
Respondents.	)	

PETITIONER'S MOTION FOR LEAVE TO PROCEED PSEUDONYMOUSLY

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NOW COMES Petitioner, by and through undersigned counsel, and hereby respectfully requests leave of court to proceed under the pseudonym "Attorney Doe."

The subject of this lawsuit is the action, or more properly inaction, of the Respondents in administering three (3) complaints filed against Attorney Doe during the period May until August 2023. All three of the complaints were filed by former neighbors of Attorney Doe and only concern social disputes and altercations between Attorney Doe and his/her neighbors.<sup>1</sup>

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<sup>1</sup> The complaints do not, in any way, shape or form, claim that Attorney Doe acted improperly in the performance of any function **in the Virgin Islands** as an attorney licensed to practice in the United States Virgin Islands. In its January 25, 2024 Order issued on Petitioner's Motion for Protective Order, the Co-Chairs of the Virgin Islands Board of Professional Responsibility stated that: "Furthermore, although Rule 211.8.5(a) provides that '[a] lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction, regardless of whether the lawyer's conduct occurs,' it is not logical to construe this rule (and Petitioner does not argue that it should be construed to mean) that a lawyer admitted to practice in this jurisdiction is subject to the disciplinary authority of this jurisdiction **for conduct that is not related to a potential violation of the Virgin Islands Rules of Professional Conduct** (S. Ct., R. 211.1.0 through

As explained in Petitioner's *Response to Motion to Unveil*, the Third Circuit Court of Appeals has recognized an analysis<sup>2</sup> by which the court is to gauge the circumstances underlying a request to proceed under pseudonym in deciding whether to exercise its discretion to permit a litigant to proceed pseudonymously. As Petitioner further explains in his/her *Response to Motion to Unveil*, the application of the Third Circuit analysis to Petitioner's circumstances warrants a finding by this Court that Petitioner be permitted to proceed under pseudonym in the present litigation as a matter of personal safety.

Petitioner hereby adopts and incorporates by reference all those points, argument and authorities set forth in Petitioner's *Response to Motion to Unveil* in support of Petitioner's instant request to proceed in this litigation under the pseudonym "Attorney Doe." Petitioner respectfully requests that such leave, should it be granted, be granted with retroactive effect to the filing of the Petition herein.

Respectfully submitted,



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211.8,5)." (emphasis added). January 25, 2024 Order, p. 6. The Co-Chairs correspondingly recognized that the narrative supplied by the complainant "did not indicate that he was a client of the Respondent, or that he had consulted Respondent about potential representation." In other words, the complaint did not allege any violation of the Virgin Islands Rules of Professional Conduct.  
<sup>2</sup> The list of non-exhaustive criteria included in the analysis are set forth in *Doe v. Provident Life and Acc. Ins. Co.*, 176 F.R.D. 464, 467 (E.D. Pa. 1997).

In Re: Attorney Doe  
1:24-cv-00020

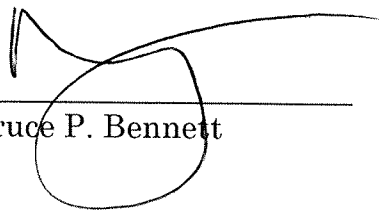
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4<sup>th</sup> day of December 2024, I caused a true and exact copy of the foregoing to be served through the Court's electronic filing system, via email, upon the parties as identified below.

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